

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 805

STATE OF NEW JERSEY

DATED: MAY 12, 2011

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 805.

The bill clarifies that local rent control provisions apply to multiple dwellings that reserve dwelling units for senior citizens and revises the definition of the term “senior citizen” to reduce the minimum age requirement from 62 to 55 years of age. The bill recalls the original intent of the Legislature to exclude senior citizen housing from a law enacted in 1987 which exempted newly constructed rental multiple dwellings from local rent control ordinances, for a limited period of time, in order to encourage the production of new rental housing, and applies that intent to the current time when 55 and older communities are prevalent and explicitly permitted under federal law.

While the federal “fair housing act” prohibits discrimination in the sale or rental of housing based on age, the federal law allows an exemption for “housing for older persons” including housing for persons 62 years of age and older and housing intended for persons 55 years of age or older.

Consistent with the original intent of the Legislature to allow seniors to benefit from local rent control ordinances, the bill aligns the statute with permissible federal age restrictions and clarifies the intent of the statute to provide an exemption from rent control ordinances only for buildings which do not reserve occupancy for seniors.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.